

REMARKS/ARGUMENTS

The Office Action notes that claims 1-16 are pending in the application. By this amendment, claims 7-11 and 12-15 have been amended, claim 16 has been cancelled, and new claims 17-19 have been added. The amendments to the claims and the new claims are fully supported by the Specification and do not add any new matter to the application. Therefore, claims 1-15 and 17-19 are now pending in the application.

In the Office Action, the Examiner: (1) objected to the drawings; (2) objected to the specification; (3) rejected claims 2-11 and 13-16 under 35 USC §112, second paragraph; (5) rejected claims 12-16 under 35 USC §102(b); and (4) allowed claim 1. Applicant responds to the Examiner's objections and rejections below.

Drawings

The Examiner objected to the drawings as failing to comply with 37 CFR 1.84(p)(5). Applicant respectfully submits that this objection has been overcome by the attached Replacement Drawing Sheets. Specifically, Figure 3 has been amended to include reference number 42.

The Examiner also objected to the drawings as failing to comply with 37 CFR §1.84(p)(4). Applicant respectfully submits that this objection has been overcome by the amendments to the Specification above. Specifically, reference character 116 now consistently refers to the "latch arms."

Specification

The Examiner objected to the Specification because of various informalities. Applicant respectfully submits that the amendments to the Specification above overcome these objections.

Claim Rejections – 35 USC §112, second paragraph

The Examiner rejected claim 2 under 35 USC §112, second paragraph, because she believed that it was unclear as to what was meant by “from a first/second side” of the cleaning element. Applicant respectfully traverses the Examiner’s rejection and asserts that the language of claim 2 is clear.

Applicant submits that, contrary to the Examiner’s assertion, the cleaning element of claim 2 is not defined as the brush member and the squeegee member. Rather, the cleaning element is stated to include a brush member and a squeegee member (see claim 1, from which claim 2 depends (“a cleaning element including a brush member and a squeegee member” emphasis added)). The transitional phrase “including” is an open-ended phrase that means that the recited elements are required but that other elements may also be present (see MPEP 2111.03). Therefore, claim 1 recites that the cleaning element includes the brush member and squeegee member, but the cleaning member is not defined as being only the brush member and squeegee member. As recited in claim 2, the cleaning element also includes a first side, from which the brush member projects, and a second side, from which the squeegee member projects. Therefore, Applicant submits that the language of claim 2 is clear.

The Examiner also rejected claims 3, 4, 14, and 15 under 35 USC §112, second paragraph, because she believed that it was unclear as to what was meant by “an entire length of the cleaning element.” Applicant respectfully traverses the Examiner’s rejection and asserts that the language of claims 3, 4, 14, and 15 is clear.

As discussed above, Applicant submits that the cleaning element is not defined as the brush member and squeegee member, but rather to include the brush member and squeegee member. As recited in claims 3, 4, 14, and 15, the cleaning element also has a “length,” and the

brush member and squeegee member are further defined to extend along substantially the entire length of the cleaning element. Therefore, Applicant submits that the language of claims 3, 4, 14, and 15 is clear.

The Examiner also rejected claim 5 under 35 USC §112, second paragraph, because she believed that it was unclear as to what was meant by “from the cleaning element in substantially opposite directions.” Applicant respectfully traverses the Examiner’s rejection and asserts that the language of claim 5 is clear.

As discussed above, Applicant submits that the cleaning element is not defined as the brush member and squeegee member, but rather to include the brush member and squeegee member, along with possibly other elements. Claim 5 further defines the relationship between the brush member and the squeegee member, which are part of the cleaning element, as projecting in substantially opposite directions. Therefore, Applicant submits that the language of claim 5 is clear.

The Examiner also rejected claim 7 under 35 USC §112, second paragraph, because she believed that the term “member” should be replaced with the term “element.” Applicant submits that the amendment to claim 7 above overcomes this objection.

The Examiner also rejected claim 8 under 35 USC §112, second paragraph, because she believed the term “the body” lacked proper antecedent basis, the term “member” should be replaced with “element,” and the term “plurality of latch members” was unclear. Applicant submits that the amendment to claim 8 above overcomes this objection.

The Examiner also rejected claims 9-11 under 35 USC §112, second paragraph, because she believed the term “detent member” should be replaced with “plurality of cantilevered detent

members.” Applicant submits that the amendments to claims 9-11 above overcome these objections.

The Examiner also rejected claims 10, 11, 13, and 14 under 35 USC §112, second paragraph, because they were dependent on themselves or on claims that numerically appeared after them. Applicant submits that the amendment to claims 10, 11, 13, and 14 above overcome these objections.

Claim Rejections – 35 USC §102(b)

The Examiner rejected claims 12-16 under 35 USC §102(b) as being anticipated by US Patent No. 3,069,716 (Smith). Applicant respectfully submits that claims 12-15 as amended (claim 16 has been cancelled) are not anticipated by Smith.

As to claim 12, Smith does not disclose “a squeegee member coupled to the brush member such that the squeegee member projects in a substantially opposite direction from the brush member” as recited in claim 12 as amended. In Smith, when the brush 56 is in its full line position in contact with the floor the brush 56 and the blade 26 project in the same direction (toward the floor). When the brush 56 is in its elevated position, as indicated by the dotted line position in Figure 8, the brush 56 projects transverse or perpendicular to the blade 26 (parallel to the floor). At no time does the brush 56 in Smith project opposite the blade 26 (away from the floor). Therefore, Applicant submits that claim 12 as amended is not anticipated by Smith.

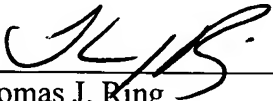
Claims 13-15 are dependent on claim 12. Therefore, for the reasons stated above, claims 13-15 are also not anticipated by Smith.

Conclusion

In view of the aforesaid, Applicant respectfully submits that claims 1-15 and 17-19 are in condition for allowance and a Notice of Allowance for these claims is respectfully requested.

Respectfully submitted,

Dated: May 19, 2004

By: 
Thomas J. Ring
Reg. No. 29,971
Attorney for Applicant
Wildman, Harrold, Allen & Dixon LLP
225 West Wacker Drive
Suite 3000
Chicago, IL 60606
P: 312-201-2000
F: 312-416-5155

DATE OF DEPOSIT BY EXPRESS MAIL
"Express Mail" mailing label number: PK 944300431US
Date of Deposit: 5/20/04
I hereby certify that this paper or fee is being deposited with the
United States Postal Service "Express Mail Post Office to
Addressee" on the date indicated above and is addressed to
the Commissioner for Patents, P.O. Box 1450, Alexandria, VA
22313-1450. Melina Rodriguez